

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
JOSEPH DI GIOVANNA,

Plaintiff,

-against-

08 Civ. 2750 (LAK)

BETH ISRAEL MEDICAL CENTER, et al.,

Defendants.
----- x

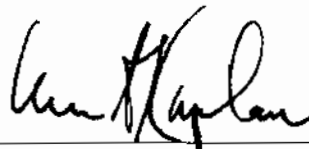
ORDER

LEWIS A. KAPLAN, *District Judge.*

Plaintiff's motion to remand to state court on the ground that the action was not timely removed is denied. Plaintiff has failed to raise a colorable claim that whomever allegedly was served if anyone actually was served was an officer, director or managing agent of any of the defendants.

SO ORDERED.

Dated: May 23, 2008



Lewis A. Kaplan
United States District Judge

